

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
MARISOL JAVIER, as the Mother and Natural Guardian of  
ANGEL JAVIER, an infant under the age of fourteen (14) years  
and MARISOL JAVIER, Individually,

**Index No.:**  
**25643/2015(E)**

Plaintiff,

**Date issued:**  
**10/13/2015**

-against-

HYDE LEADERSHIP CHARTER SCHOOL, PETER ANDERSON,  
JANE DOE TEACHER AND NEW YORK DEPARTMENT OF  
EDUCATION,

**REQUEST FOR  
PRELIMINARY  
CONFERENCE**

Defendant(s).

-----X  
**COUNSELORS:**

The undersigned requests a Preliminary Conference.

The nature of the accident is property damage.

The names, addresses and telephone numbers of all attorneys/pro se litigants  
appearing in the action are as follows:

Joseph A. Maria, Esq.  
*Attorneys for Plaintiffs*  
301 Old Tarrytown Road  
White Plains, New York 10603  
(914) 684-0333  
File No.: 01-2195

CORNELL GRACE, P.C.  
Attorney for Defendants  
MSG HOLDING L.P. and THE MADISON  
SQUARE GARDEN COMPANY  
111 Broadway, Suite 810  
New York, New York 10006  
(212) 233-1100

NEW YORK CITY DEPARTMENT OF  
EDUCATION  
65 Court Street  
Brooklyn, New York 12201

Dated: New York, New York  
January 11, 2016



Laura M. Maletta, Esq.  
CORNELL GRACE, P.C.

Attorney for Defendant  
**MSG HOLDING L.P., and THE  
MADISON SQUARE GARDEN  
COMPANY**

111 Broadway-Suite 810  
New York, New York 10006  
(212) 233-1100  
(212) 233-1110

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JANE DOE TEACHER AND NEW YORK DEPARTMENT OF  
EDUCATION,

**AFFIRMATION**

Defendant(s).

-----X  
**LAURA M. MALETTA**, an attorney duly admitted to practice law in the Courts of the  
State of New York, affirms the following statements to be true under the penalties of perjury,  
pursuant to Rule 2106 of the C.P.L.R.: I am the attorney for the defendants in the above entitled  
action.

1. I am requesting a Preliminary Conference in this action.
2. I have conferred in good faith with the other party to resolve disclosure issues  
and the parties agree that a Preliminary Conference should be held to schedule discovery in this  
matter.
3. Therefore, your affirmant respectfully requests that a Preliminary Conference be  
scheduled to resolve the aforementioned outstanding discovery issues.

Dated: New York, New York  
January 11, 2016

Yours, etc.,

**CORNELL GRACE, P.C.**



Laura M. Maletta

## AFFIDAVIT OF SERVICE

I, **ANGELA TUSHNOVA**, being duly sworn, deposes and says that deponent is not a party to this action, is over 18 years of age and is presently employed by Cornell Grace, 111 Broadway, Suite 810, New York, New York 10006; that on November 9, 2015 deponent served the within: **REQUEST FOR PRELIMINARY CONFERENCE AND AFFIRMATION IN GOOD FAITH** upon the following attorney(s) for the parties at the addresses shown below, being the addresses designated by said attorneys for that purpose, by depositing a true copy of the same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

TO:

Joseph A. Maria, Esq.  
*Attorneys for Plaintiffs*  
301 Old Tarrytown Road  
White Plains, New York 10603  
(914) 684-0333  
File No.: 01-2195

NEW YORK CITY DEPARTMENT OF EDUCATION  
65 Court Street  
Brooklyn, New York 12201



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ANGELA TUSHNOVA

Sworn to on this the  
11<sup>th</sup> day of January, 2016.



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Notary Public

LAURA MARIE MALETTA  
Notary Public, State of New York  
No. 02MA6268545  
Qualified in Nassau County  
Commission Expires September 10, 2016

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**REQUEST FOR PRELIMINARY CONFERENCE AND AFFIRMATION IN GOOD  
FAITH**

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***CORNELL GRACE, P.C.***  
***Attorneys for Defendants***  
***111 Broadway, Suite 810***  
***New York, New York 10006***  
***(212) 833-1100-p***  
***(212) 833-1110-f***